

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

### **SENATE, No. 1259**

with Senate committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 20, 1996

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1259 (1R) with amendments.

Senate Bill No. 1259 (1R), the "Law Enforcement Officers' Protection Act," amends and supplements parts of statutory law to clarify and codify certain law enforcement officer powers, protections, privileges and rights.

The bill provides for life imprisonment without parole for murderers convicted of killing law enforcement officers but who escape the death penalty; establishes tort coverage under the "New Jersey Torts Claims Act," N.J.S.59:1-1 et seq., for law enforcement officers rendering good faith assistance to victims of an accident or in times of emergency; requires HIV and AIDS testing whenever body fluids have been transmitted between a law enforcement officer and any other person (adult or juvenile) the officer may arrest for an offense; establishes a Law Enforcement Officers Training and Equipment Fund and provides for its funding by imposing additional monetary penalties upon adults convicted of crimes and juveniles adjudicated delinquent; requires law enforcement agencies to adopt and implement guidelines consistent with those set forth in the "Internal Affairs Policy and Procedures" of the Police Management Manual promulgated by the Attorney General; and clarifies certain disciplinary matters

#### COMMITTEE AMENDMENTS

The committee amendments, with one exception, bring the provisions of S-1259 (1R) into conformity with the provisions of A-1836 (3R). The exception applies to section 3 of S-1259. The committee's amendments to that section are designed to "hold harmless" those law enforcement officers who are statutorily afforded tort immunities and other benefits in those instances where they are performing law enforcement duties outside their employing jurisdiction. The amendments also extend those immunities and benefits to other law enforcement officers whenever they are requested

by another jurisdiction to perform law enforcement duties within its boundaries, or they perform such duties in another jurisdiction upon the orders of their superiors.

#### FISCAL IMPACT

According to the AOC, the revenue to be generated for the Law Enforcement Training and Equipment Fund upon the enactment of this bill, based on 27,213 convictions for Title 2C offenses, would be approximately \$816,390 per year.

The Office of Legislative Services (OLS) notes that many individuals convicted of crimes and incarcerated have a variety of other fees and fines imposed which take precedence over the proposed fee. Because many offenders are indigent, these fines often go unpaid. As a result, the OLS notes that the annual revenue stated by the AOC is probably higher than what actual collections would be.